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Attorneys for Defendant
UNITY CARE GROUP, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ERICK VARGAS,

Plaintiff,

v.

UNITY CARE GROUP, INC., business
entity form unknown, COUNTY OF
SANTA CLARA, a public entity,
PATRICK DAUPHIN, individually, and
DOES 1 THROUGH 10, INCLUSIVE

Defendants.

Case No. 5:16-cv-06767-EJD

**RULE 41 STIPULATED DISMISSAL OF
SUBSTANTIVE DUE PROCESS UNDER 42
U.S.C. §1983 (FIRST CAUSE OF ACTION) AS
TO UNITY CARE GROUP, INC. ONLY**

Hon. Edward J. Davila

Pursuant to Federal Rule of Civil Procedure 41, Plaintiff Erick Vargas and Defendant
Unity Care Group, Inc., by and through their respective counsel of record, hereby stipulate that
the First Cause of Action to the Complaint — Substantive Due Process under 42 U.S.C. §1983 —
is dismissed with prejudice as to Unity Care Group, Inc. ONLY.

Erick Vargas and Unity Care Group, Inc. to bear their own fees and costs with respect to
the First Cause of Action.

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1 The First Cause of Action still survives against defendants PATRICK DAUPHIN,
2 COUNTY OF SANTA CLARA and DOES 1 THROUGH 10.

3 Dated: July 28, 2017

CASILLAS & ASSOCIATES

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5 By: /s/ Arnold Casillas
6 ARNOLD CASILLAS
7 Attorneys for Plaintiff
8 ERIK VARGAS


9 Dated: July 28, 2017

ALLEN, GLAESSNER,
HAZELWOOD & WERTH, LLP

11 By: /s/ Steven D. Werth
12 STEVEN D. WERTH
13 Attorneys for Defendant
14 UNITY CARE GROUP, INC.

15 **IT IS SO ORDERED.**

16 DATED: July 31, 2017

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18 HON. EDWARD J. DAVILA
19 U. S. DISTRICT JUDGE
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